



CITY COUNCIL  
ATLANTA, GEORGIA

A RESOLUTION

BY PUBLIC SAFETY & LEGAL ADMINISTRATION COMMITTEE

A RESOLUTION AUTHORIZING THE  
SETTLEMENT OF THE CLAIM OF GRADY  
L. GAMBLE IN THE AMOUNT OF \$2,134.00  
AGAINST THE CITY OF ATLANTA

02-*R*-2159

**WHEREAS**, GRADY L. GAMBLE has filed a claim against the City of Atlanta seeking damages arising out of a sewer backup located at 1587 Van Epps Street, SE; and

**WHEREAS**, property owned by GRADY L. GAMBLE has been substantially damaged as a result of the City's failure to properly secure the work site of an excavation project of a sanitary sewer mainline; and

**WHEREAS**, the City of Atlanta has made an attempt, however unsuccessful, to abate said nuisance; and

**WHEREAS**, inasmuch as the facts disclosed indicate said claim is not based on a claim of negligence, but is a nuisance which is not subject to a defense of sovereign immunity under the laws of the State of Georgia; and

**WHEREAS**, the claimant has asserted damages in the amount of \$2,134.00 and has agreed to accept this sum in full and complete satisfaction and settlement of his claim against the City of Atlanta; and

**WHEREAS**, the City Attorney has recommended that the claim of GRADY L. GAMBLE, be settled for the sum of \$2,134.00.

**THEREFORE, BE IT RESOLVED** that the Council of the City of Atlanta, Georgia that \$2,134.00 be paid by the City of Atlanta to GRADY L. GAMBLE, in satisfaction of any and all claims he may have stemming from damages sustained to his property on or before May 4, 2002, at 1587 Van Epps Street, SE, and that the City Attorney prepare appropriate releases.

**BE IT FURTHER RESOLVED** that the Chief Financial Officer is hereby authorized to pay the above mentioned sum from account number 2J01/529017/T31001.

A true copy,

*Phonda Daughkin Johnson*  
Municipal Clerk, CMC

ADOPTED by the Council  
RETURNED WITHOUT SIGNATURE OF THE MAYOR  
APPROVED as per City Charter Section 2-403

JAN 06, 2003

JAN 15, 2003

RCS# 4344  
1/06/03  
2:10 PM

Atlanta City Council

Regular Session

CONSENT I                      Pgs. 1-7; Except 02-O-1853; 02-R-1770  
                                    02-R-2007; 02-R-2056  
                                    ADOPT

YEAS: 11  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 5  
EXCUSED: 0  
ABSENT 0

Y Smith	Y Archibong	Y Moore	NV Mitchell
Y Starnes	Y Fauver	Y Martin	Y Norwood
NV Young	Y Shook	Y Maddox	NV Willis
Y Winslow	NV Muller	Y Boazman	NV Woolard

CONSENT I

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**1/06/03 Council Meeting**

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**ITEMS ADOPTED ON CONSENT  
AGENDA**

1. 02-O-2008
2. 02-O-2071
3. 02-O-2175
4. 02-O-2170
5. 02-O-2171
6. 02-O-2024
7. 02-O-2172
8. 02-R-2130
9. 02-R-2157
10. 02-R-2158
11. 02-R-2159
12. 02-R-2186
13. 02-R-1964
14. 02-R-1965
15. 02-R-2067
16. 02-R-2134
17. 02-R-2135
18. 02-R-2136
19. 02-R-2137
20. 02-R-2138
21. 02-R-2139
22. 02-R-2140
23. 02-R-2141

**ITEMS ADVERSED ON CONSENT  
AGENDA**

24. 02-R-2142
25. 02-R-2143
26. 02-R-2144
27. 02-R-2145
28. 02-R-2146
29. 02-R-2147
30. 02-R-2148
31. 02-R-2149
32. 02-R-2150
33. 02-R-2151
34. 02-R-2152
35. 02-R-2153
36. 02-R-2154
37. 02-R-2155
38. 02-R-2156

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Consent I Vote: 11 Yeas; 0 Nays (See RCS #4344)

Items Removed from the Consent Agenda: 02-O-1853; 02-R-1770; 02-R-2007; 02-R-2056

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02-R-2159

(Do Not Write Above This Line)

A RESOLUTION

BY PUBLIC SAFETY & LEGAL  
ADMINISTRATION COMMITTEE

A RESOLUTION AUTHORIZING  
THE SETTLEMENT OF THE  
CLAIM OF GRADY L. GAMBLE  
IN THE AMOUNT OF \$2,134.00  
AGAINST THE CITY OF  
ATLANTA ARISING FROM A  
SEWER BACKUP.

ADOPTED BY

By: Rosalind Rubens Newell

Rosalind Rubens Newell

Deputy City Attorney

COUNCIL

- ☐ CONSENT REFER  
☐ REGULAR REPORT REFER  
☐ ADVERTISE & REFER  
☐ 1st ADOPT 2nd READ & REFER  
☐ PERSONAL PAPER REFER

Date Referred

Referred To:

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee \_\_\_\_\_  
Date \_\_\_\_\_  
Chair \_\_\_\_\_  
Referred to \_\_\_\_\_

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

FINAL COUNCIL ACTION

☐ 2nd ☐ 1st & 2nd ☐ 3rd  
Readings  
☒ Consent ☐ V Vote ☒ RC Vote

CERTIFIED

CERTIFIED  
JAN 06 2003  
Catherine M. Borders  
MUNICIPAL CLERK

CERTIFIED  
JAN 06 2003  
Rosalind Rubens Newell  
MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

JAN 15 2003

WITHOUT SIGNATURE  
BY OPERATION OF LAW